

Law Enforcement News

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Just call him "Anti-crime Bill"

Clinton seeks more cops, gun curbs, broader death penalty

Presidential Clinton, fresh from fighting hard to win Congressional approval for his controversial budget and deficit-reduction plan, unveiled sweeping anti-crime legislation on Aug. 11 that calls for Federal funding to hire 50,000 police officers nationwide, passage of a law requiring a five-day waiting period for the purchase of handguns and expansion of the death penalty to cover almost 50 Federal crimes.

Flanked by law enforcement officials during a Rose Garden ceremony, Clinton touted his plan by saying that rising crime has robbed the nation of "the freedom from fear...that is essential to security and prosperity."

"When our children must pass through metal detectors to go to

school...when parents are imprisoned in their own apartments behind locked doors, when we can't walk the streets of our cities without fear, we have lost an essential element of our civilization," the President said.

In many ways, Clinton's anti-crime package, which was drafted by Senator Joseph Biden (D.-Del.), the chairman of the Senate Judiciary Committee, and his counterpart in the House, Representative Jack Brooks (D.-Texas), resembles legislation that died in Congress last year amid partisan election-year squabbling. One major difference is Clinton's \$3.4-billion plan to hire 50,000 police officers — a "down payment" on the his campaign pledge to put 100,000 "community cops" on the nation's streets within five years.

The bill also includes a provision

that would authorize the death penalty for nearly 50 offenses, including the murder of a Federal law enforcement officer or state officers killed while assisting Federal investigators. It would also set up a system of "boot camps" for first-time criminal offenders and limit death-row inmates to a single Federal habeas corpus appeal filed within a six-month time limit.

Congressional bickering on the habeas corpus provision killed last year's crime bill. Senate Republicans pushed a version of habeas corpus reform, and when it was not included in the larger bill, killed the entire package by threatening to filibuster. Democrats have since agreed to a revised version.

The package also calls for the passage of the Brady bill, which would impose a five-day waiting period on

handgun purchases. The bill, named for former White House Press Secretary Jim Brady, who was severely wounded in the 1981 assassination attempt on then-President Ronald Reagan, has failed to win Congressional approval since it was first introduced nearly five years ago.

Unlike his predecessor, Clinton said he would not be averse to signing the Brady bill as a stand-alone piece of legislation. "That's fine with me," he said. "I would like it to pass as quickly as possible but I think it ought to pass in a strong, clear and unambiguous form."

Clinton also urged Congress to consider legislation to ban or restrict the availability of military-style assault weapons. Currently, only three

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Administration weighs DEA-FBI merger, may propose shuffling other agencies

An oft-discussed, on-again, off-again "wedding" between Federal agencies appears to be on again, but don't rush out just yet to rent formal attire or buy a greeting card.

After weeks of speculation and news leaks about White House intentions, Clinton Administration officials confirmed on Aug. 18 that the Administration plans to consolidate Federal drug enforcement efforts by merging the Drug Enforcement Administration into the Federal Bureau of Investigation.

The disclosure triggered an uproar from law enforcement officials and members of Congress, as well as flat-out predictions that the proposal would face an early death. Some observers speculated that the proposal may have prompted DEA Administrator John C. Bonner to tender his resignation earlier this month. Bonner denied those assertions. [See sidebar, Page 6.]

Such a merger has been proposed, discussed and rejected at various times in the past as a way to end duplications and turf battles between the two agencies and help focus the nation's drug-enforcement efforts, for which it spends about \$13 billion a year. In 1982, then-Attorney General William French Smith

proposed folding the DEA into the FBI. In 1987, Attorney General Edwin Meese decided against a similar plan.

But with the new Administration consolidating its power, the merger idea has come to the forefront and reportedly has the support of both Attorney General Janet Reno and Vice President Gore. The proposal is part of an initial draft of a report by Gore's National Performance Task Force, which is charged with finding ways to streamline the Federal Government. The report says that the merger would create a leaner drug-fighting agency and end the duplication of efforts that sometimes hamper narcotics investigations.

The related notion of merging the Bureau of Alcohol, Tobacco and Fire-

Merge the DEA and FBI?

One long-time drug enforcement official says

"Here we go again."

See Forum, Page 8.

arms into the FBI has reportedly been dropped by the Clinton Administration, according to unnamed senior Administration officials interviewed by The New York Times.

The officials speculate that ATF, which is part of the Treasury Department, may have been dropped from the merger plan because of objections by Treasury Secretary Lloyd Bentsen.

They add that an FBI-DEA merger would be easier to achieve because both agencies are already under the jurisdiction of the Justice Department.

At press time, President Clinton had made no final decision on the matter, which would have to be approved by a skeptical Congress.

[On Aug. 11, The Washington Times reported that Gore's plan would also put the Secret Service, divisions of the U.S. Customs Service and the Internal Revenue Service — all part of the Treasury Department — under the DoJ umbrella. The Postal Inspection Service, which is part of the quasi-governmental U.S. Postal Service, would also be folded into DoJ. The plan proposes

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School is back in session, as Illinois force requires college

New police recruits in Tinley Park, Ill., will be required to have at least some college under their belts before they are appointed to sworn positions, under an ordinance approved last month by the town's Board of Trustees.

The ordinance, which passed by a vote of 4-1 on Aug. 3, will require new recruits to have either a bachelor's degree from a four-year college or university, or an associate's degree or 60 hours of college credits, both with an emphasis on criminal justice.

High-school graduates who have had two years of law enforcement experience as state-certified peace officers will be exempted from the requirement. And, on a one-time-only basis, current members of the department's 52-officer reserve force will also be exempted, providing they have completed 480 hours of training.

The Tinley Park Police Department follows a lead set by the Palatine and Winnetka departments, which are the only Chicago-area law enforcement agencies to require four years of college. Other suburban Chicago police agencies require some college credits.

Cmdr. Charles Montgomery, a 23-year veteran who has a master's degree in public administration, said department planners reasoned that the majority of the officers had associate's or bachelor's degrees anyway, so why not require degrees of new recruits? College-educated officers, he observed, offer a higher quality of service and are more sensitive to cultural diversity.

In addition, Montgomery said, Police Chief James Wade, who took control of the agency about two years ago, is a big booster of higher education programs for police officers.

Montgomery said the requirement also evolved in part from a need to limit the overwhelming number of applicants to the department. "The last time we had an examination, we ended up with over 2,000 applicants. We knew we'd weed out a lot of them before they took the test, but we ended up with a list of 70 people [to process]. If you're only going to hire 15 or 20, that's an awful lot of cost," he told LEN.

Currently, about 75 percent of the department's 50 sworn officers meet the college requirement, said Montgomery. The new policy will not affect the department's efforts to attract reserve officers because many of them already fulfill the requirement as well. "More than half [of the reserve officers] we've hired in the last five years have had at least an associate's degree or a B.A.," he said.

What They Are Saying:

"The bureau is into selective narcotics enforcement. They select that portion of it they think they can deal with...and let the rest slip aside."

— Former Drug Enforcement Administration head John Lawn, criticizing a proposal to merge the DEA with the Federal Bureau of Investigation. (6:4)

Around the Nation

Northeast

CONNECTICUT — Colchester police stopped a truck carrying contraband cigarettes to the Golden Hill Paugussett Indians, as part of a drive against illegal sales of untaxed cigarettes.

DISTRICT OF COLUMBIA — The city's chapter of the Fraternal Order of Police said it will support David Clarke in his bid to become chairman of the District Council. Clarke is one of five candidates on the Sept. 16 ballot.

MARYLAND — The Baltimore Police Department has ordered 15 detectives to patrol the area around the Inner Harbor and Camden Yards because of increasing property crime.

MASSACHUSETTS — Seven officers at the Worcester County Jail and House of Correction were disciplined and another resigned after they were caught napping and gates at the maximum-security facility were discovered open during a surprise inspection.

Mustachioed members of three law enforcement agencies that were merged into the State Police last year have lost their battle to keep their facial hair. A Federal appellate judge recently ordered the 11 plaintiffs — all former members of the Massachusetts Metropolitan, Capitol and Registry Police agencies — to shave off their mustaches or face disciplinary action, including firing, for failing to comply with State Police grooming codes. Their attorney may appeal to the Supreme Court. (See **LEN**, July/August 1992.)

NEW HAMPSHIRE — Under procedural changes announced by state officials, anatomically correct dolls will no longer be used by investigators questioning children in sexual abuse cases, new interview techniques will be used and interviews will be videotaped.

NEW JERSEY — About 1,000 new police officers will be hired statewide this year and an additional 1,000 in 1994 under a plan to drive down rising crime rates in several cities, state officials announced.

Terrorists whose acts result in the death can be executed by lethal injection, under a law signed by Gov. Jim Florio on July 28.

Officials are trying to determine how a mentally disabled man became trapped in a New Lisbon police car for a day, where he suffered a seizure and asphyxiated. Officials said the lock-knobs of the car in which the body of John Episcopo, 28, was found on July 24 had been recently changed.

Two Paterson girls, ages 11 and 12, face charges of forcing a 7-year-old boy to simulate sex with a 9-year-old girl, then forcing the girl to perform oral sex on the boy. The girls said their "sexual curiosity was aroused" by seeing sex acts on cable TV and between their relatives, said Passaic County prosecutor Robert Warrington.

NEW YORK — New York City Police Commissioner Raymond Kelly says the department is considering hiring

unemployed actors to impersonate criminals and spot corrupt officers.

Josee Lafrance, who claimed she was unjustly strip-searched for drugs as a student, has obtained an undisclosed settlement in her \$600,000 lawsuit against Saranac Central School.

A New York City police officer arrested last year on charges of running a cocaine ring was officially dismissed from the force, officials announced July 26. Thomas Mascia's dismissal was effective Feb. 10, the day he pleaded guilty of charges of conspiracy to distribute cocaine.

Motorists convicted of drug offenses will lose their driving privileges for six months under a bill signed by Gov. Mario Cuomo on Aug. 2.

New York City Police Commissioner Raymond Kelly unveiled an advertising campaign on July 29 designed to boost officer morale and improve the public's perception of police. The campaign, "New York City Cops Care/It's a Matter of Pride," will involve posters featuring news photos of officers at work — including scenes of officers rescuing people trapped in the World Trade Center after it was bombed by terrorists in February.

Crime sometimes pays. Just ask Bernard McCummings, a mugger who was paid \$3 million to settle his lawsuit against the New York City Transit Authority. McCummings, 32, sued the TA after he was shot in the back while fleeing from Transit Police Officer Manuel Rodriguez, who caught McCummings and two accomplices robbing and beating a 71-year-old man. McCummings, who was paralyzed as a result of the shooting, claimed the officer used excessive force.

Authorities are looking for possible links in the mutilation slayings of five gay men from the New York City area whose bodies have been discovered in New Jersey, upstate New York and Pennsylvania during the past two years. Authorities fear a serial killer may be at work because of similarities in the way the bodies were dismembered and disposed of.

The New York Police Department has proposed cutting off Transit Police access to its citywide radio frequency to "reduce the number of dual agency responses." The proposal, which directs Transit Police not to assist NYPD officers unless "specifically requested" to do so, grew from an incident in which a woman being held hostage by bank robbers was shot and killed by police. Both Transit and city officers were at the scene of the January incident.

A 10-year-old Brooklyn boy, said to be the youngest convicted murderer in the state, will serve no more than 18 months in a juvenile detention facility when he is sentenced. The boy admitted stabbing a 12-year-old boy to death June 11.

PENNSYLVANIA — A University of Pennsylvania review panel has found that campus police officers overreacted when they attempted to stop eight black students from seizing copies of the student newspaper in an April protest against a conservative columnist. The review board said officers should have

alerted campus officials assigned to monitor protests and rallies before acting. Students had accused the police of cursing at them and using unnecessary force, including handcuffing four students and hitting one with a baton.

VERMONT — The state's new anti-stalking law went into effect July 1. The law, spurred by the murder of a Brattleboro newspaper reporter who was stabbed to death by her estranged boyfriend, calls for penalties of up to two years and a \$5,000 fine. Repeat offenders or those who violate court orders to stay away from victims could get up to five years in prison and a \$25,000 fine.

Southwest

ALABAMA — Twin five-year-old girls who were discovered by Birmingham police July 31 shackled together in a dirty bedroom were reported as possible abuse victims at least three times. The Department of Human Resources said the reports weren't followed up because of a large caseload and an underpaid, overworked staff.

FLORIDA — The last three of six Miami police officers indicted on obstruction of justice charges stemming from the 1988 beating death of drug dealer Leonardo Mercado surrendered in late July.

Miami Police Chief Calvin Ross on July 24 dismissed Officer Carl Seals, whose chokehold left a man in a coma, saying the 11-year police veteran had serious mental problems. In June, the city paid \$7.5 million to the family of Antonio Edwards, 24, who has remained unconscious since January 1992, when he was choked by Seals as other officers tried to handcuff him.

Two undercover police officers involved in the arrests of two Cooper City high school girls who allegedly worked as prostitutes have been accused of having sex with the girls before the arrests were made. The unidentified Oakland Park officers were suspended with pay, pending an internal investigation, said Police Chief Edward Overman. The encounters were reportedly videotaped by a third officer from an adjoining room at a hotel where the arrests occurred.

GEORGIA — The city of Atlanta plans to begin testing its workers for drugs, Mayor Maynard Jackson announced in late July. "We do not intend to be punitive or unduly intrusive into the privacy of our employees," he said. "We want to help, not fire, those employees who have a drug problem. However, we will not tolerate the use of drugs."

LOUISIANA — State Representative Avery Alexander called for a demonstration during the Aug. 6-8 weekend to protest the shooting death of a black suspect, Eddie Lewis, by Jeanerette Police Chief Ted Kahn. The Legislative Black Caucus will soon hold hearings on police abuse, he said.

TENNESSEE — Memphis police deployed new bike and squad car patrols at Mud Island following the July 7

abduction-murder of Kimberley Wilburn, 23.

Electronic monitoring, double-celling of inmates and additional prison space should be in place by the end of the year, Correction Commissioner Christine Bradley said. A recent study showed that 1,349 prisoners could be without beds by June 1996.

VIRGINIA — A man whose penis was surgically reattached after his wife cut it off because he allegedly raped her has been charged with marital sexual assault, *The Washington Times* reported. John Bobbitt's lawyer said he knew of no evidence to support the rape claim made by Bobbitt's wife, Lorena, who has been charged with malicious wounding.

An Alexandria police officer who acquaintances said never really recovered from a 1989 shootout apparently killed himself near his Dale City home, Prince William County police said. The body of Officer Andrew M. Chelchowski was discovered July 29 in woods near his home. He had died of a gunshot wound to the head, and his service pistol was found nearby. Chelchowski, a 16-year veteran, was seriously wounded in a 1989 shootout with a man who had taken several hostages during a 90-minute standoff at a housing project. His partner, Cpl. Charles W. Hill, was shot to death as he urged the suspect, Jamie Martin Wise, to surrender. Wise was killed in an ensuing hail of police bullets. The incident led to tougher eviction rules regarding drug dealers in Federal housing projects.

Midwest

INDIANA — Officials conducted a cell-by-cell search of the three-month-old Howard County Criminal Justice Center in Kokomo as part of a lockdown ordered after two corrections officers were attacked on July 23.

ILLINOIS — No charges will be filed against five Cook County sheriff's deputies who shot and killed off-duty Maywood police Sgt. Dennis Ray during a traffic stop. Ray, who officials said was drunk at the time of the incident, was shot after he waved his handgun at the officers, police said.

Twelve people were charged in connection with what officials said was the largest indoor marijuana farm ever discovered in the state. The charges stem from a March 1992 raid of a \$650,000 home in Inverness by drug agents who found up to 5,000 marijuana plants growing inside.

KENTUCKY — Undercover Louisville vice detective Rick Jones, who was shot by a fellow officer who mistook him for an escaped felon, was reported in serious condition last month after undergoing surgery to remove his spleen and repair his bowel.

MICHIGAN — Two former Detroit police officers were convicted Aug. 23 of second-degree murder in the beating death of a black motorist, and a third former officer was acquitted of assault with intent to do great bodily harm, in a

racially charged case that drew comparisons to the Rodney King beating in Los Angeles. Walter Budzyn, 47, and Larry Nevers, 53, will remain free on bond until sentencing Oct. 12. The two officers, both white, were convicted by a jury in connection with the flashlight beating death of Malice Green on Nov. 5, 1992. A third officer, Robert Lessnau, 33, had his trial on assault charges heard by Judge George W. Crockett 3d, who acquitted him. The murder convictions carry mandatory prison sentences, with a maximum of life. The black sergeant at the scene of the beating, Freddie Douglas, was originally accused of involuntary manslaughter, but the charge was dropped. Douglas now faces a trial on a misdemeanor charge of neglect of duty. Green, 35, was beaten to death after dropping a friend off near an abandoned building frequented by crack addicts.

Plains States

KANSAS — George Marquardt, 47, pleaded guilty in Wichita on Aug. 3 to conspiracy to manufacture fentanyl, a drug that is 400 times more potent than heroin and which is blamed for 120 overdoses nationwide. He faces a maximum of life in prison and a \$4-million fine.

A man about to be sentenced on marijuana and weapons charges rode an elevator to a Federal courtroom in Topeka Aug. 5 and began firing handguns and throwing pipe bombs, killing a security guard and wounding a bystander before he himself was killed when explosives strapped to his body detonated. At least three other people were seriously injured in the blast that killed the gunman, identified as Jack Gary McKnight, 37. The FBI said that earlier in the day, McKnight blew up his truck outside the Jefferson County courthouse in Oskaloosa, then drove to Topeka in a car he blew up in the Federal building parking lot in an apparent attempt to distract security officers.

MINNESOTA — Madison Lake Police Chief Donn Browne pleaded innocent Aug. 3 to disorderly conduct charges for spraying a cayenne pepper-based aerosol at 12 spectators at a parade in Eagle Lake. Browne claimed he was aiming at two women who squirted him with a high-powered water gun.

An appeals court ruled last month that repeat sex offenders are not subject to cruel and unusual punishment when given lengthy prison terms.

For the first time in its history, Minnesota State Patrol officials have chosen an outsider to head the 535-officer force. Col. Michael Chabries, 49, a former Salt Lake City police chief who also headed the Utah Highway Patrol, was named to succeed Col. Anthony E. Kozojed, who returned to the rank of captain after two years as chief. Chabries began his new duties July 6.

NORTH DAKOTA — The state has received two T-42 Beechcraft Barons from the Federal Government that will be used to track drug dealers and spot marijuana fields.

Around the Nation



ARIZONA — State troopers were searching last month for an unidentified motorist who opened fire on a van, wounding 4-year-old Desiree Balion in the shoulder. The incident occurred after the girl's mother inadvertently cut off the gunman when she switched lanes on a highway near Phoenix.

COLORADO — In a protest against gang violence, a Denver priest who began fasting on July 5 says he will continue to refuse food until warring youth gangs reach a truce. The Rev. Marshall Gourley's parishioners are pleading with him to end the fast.

A Denver vice sergeant and a man he was trying to arrest were shot and wounded in a gunfight at a motel July 27. Sgt. Rick McNellis was shot in the neck, but recovered and left a local hospital the next day. Police responding to the scene shot the unidentified suspect in the chest. He, too, recovered from his wounds.

TEXAS — A woman who told Corpus Christi police that a dragon had possessed her son was being held in the psychiatric unit of a local hospital in late July awaiting murder charges. Police say Elaine Shook, 37, drowned her 4-year-old son, Adam, in what they described as a ritualistic killing.

A McAllen jury in late July acquitted state Representative Serio Munoz of plotting to steal nearly 700 pounds of marijuana from a police locker.

Dallas Police Officer David Lewellyn, 25, was in critical but stable condition after he was shot in the neck and jaw in late July — the third Dallas officer shot on duty so far this year. Vincent Price, 23, was charged with attempted murder.



CALIFORNIA — A U.S. District Court Judge sentenced two Los Angeles police officers to 30 months in prison on Aug. 4 for violating the civil rights of Rodney King during a March 1991 beating. Judge John Davies, who could have sentenced Sgt. Stacy Koon and Officer Laurence Powell to up to 10 years in prison, said he gave them relatively light sentences because King initiated the high-speed chase that led to the videotaped beating. Davis said the worst of the blows rained on King were legal because until he stopped resisting police, the motorist was guilty of "provoking the offense." Koon, 43, and Powell, 30, who will remain free until Sept. 27, could be eligible for parole in 25 months. The officers' attorneys say they will appeal.

Santa Cruz police seized hundreds of opium poppies neatly planted in a garden that provides food for the home-

less. Lynne Basehore, director of the Homeless Garden Project, said no one knew that the flowers were poppies or who planted them. They were tended because they had pretty bulbs, she said.

A judge said that condemned murderer David Mason can withdraw from an ACLU lawsuit challenging the legality of death by lethal gas. Mason said he wants no part of the group's efforts to save him from a scheduled Aug. 24 execution.

Speaking at the annual conference of the Association of Trial Lawyers in San Francisco on Aug. 1, U.S. Attorney General Janet Reno said 80 percent of poor citizens lack adequate access to legal services. "Too many Americans, not just the poor and the working poor, don't have access to legal services that give them the ability to deal with day-to-day problems," she said.

HAWAII — A recent two-day sweep of the coastline area near Hilo resulted in the destruction of 9,615 marijuana plants that ranged in size from seedlings to 10 feet tall.

IDAHO — U.S. Representative Larry LaRocco has recommended the appointment of Pocatello Police Chief James Benham, 49, as the state's U.S. Marshal. Benham would replace Michael Johnson, pending Senate approval.

Authorities in eastern Idaho say the low cost of LSD, which sells for \$3 a dose, is one reason why the drug is enjoying a resurgence in popularity among teen-agers.

NEVADA — Las Vegas police arrested a man who they say robbed a bank, then began passing out \$100 bills to passers-by. Ronald Chroniak, 46, reportedly told police he was "sick of... losing money in casinos" and the robbery was his way of getting even.

A Las Vegas man arrested in Newport Beach, Calif., was charged Aug. 2 with extortion in the kidnapping of Kevin Wynn, the daughter of gambling mogul Steve Wynn. Ray Marion Cuddy, 47, was arrested Aug. 1 by FBI agents and Las Vegas police officers. Kevin Wynn was abducted from her Las Vegas home July 26, then found bound and gagged but unharmed in an airport parking lot after her father paid a ransom of \$1.5 million in cash.

WASHINGTON — Convicted child rapist Joseph Gallardo, whose Lynnwood home was burned before he was to return from prison in July, has settled in the Seattle area and registered as a sex offender, as state law requires. The fire occurred after a sheriff's notice was posted near the home, warning that Gallardo, 35, was "an extremely dangerous untreated sex offender." Gallardo went to his brother's home in Deming, N.M., but left after residents there protested.

Seattle Det. Dennis Hossfeld was named the 1993 recipient of the 3M/IATTI Vehicle Theft Investigation Award. The award, presented at the annual meeting of the International Association of Auto Theft Investigators in Boise, Idaho, last month, recognizes outstanding efforts by police officers to recover stolen vehicles, and promotes the successful use of vehicle identification numbers in investigations.

Pursuit of happiness: NJ court KO's chase liability

The New Jersey Supreme Court ruled July 28 that police officers are absolutely immune from liability in "hot pursuit" incidents that result in injury and deaths, except in cases where police engage in "willful misconduct" during the chase.

The unanimous ruling, which flouts a nationwide trend that has resulted in police agencies tightening the rules governing high-speed police chases, said that "absent willful misconduct police officers are absolutely immune under state law for injuries resulting from their pursuit of a person who failed to stop at police command, even though the injuries would not have occurred but for the negligence of the police." The opinion, written by Chief Justice Robert N. Wilentz, said the court's decision was justified by the need to "encourage vigorous law enforcement."

The court sidestepped the issue of whether imposing liability on the police would cut down on unnecessary police pursuits that result in injuries or deaths. "We note the controversy surrounding the matter: the claim that unless there is such immunity, police officers will be reluctant to enforce the law vigorously for fear of liability, and the opposing claim that such pursuits result in a large number of unjustified injuries that can be diminished only by the imposition of liability," Wilentz wrote. "That policy question is for the Legislature."

The ruling came in an eight-year-old case brought by the family of 17-year-old John W. Tice Jr., whose pickup truck was struck by a car driven by William G. Logan, who ran a stop sign to elude pursuing police.

The five-minute chase began after Wildwood Police Officer Robert Cramer was dispatched to investigate a

fight at a bar and began to follow Logan's vehicle when it pulled out of the parking lot with its lights off. Logan ran four traffic lights before crashing into Tice's truck, killing him. A passenger in Logan's car was killed as well. Logan was eventually convicted of manslaughter in connection with the November 1985 incident and served six months in jail.

Tice's family sued both Logan and Cramer, claiming that the officer was negligent in the way he pursued Logan and that the chase itself was unjustified. The suit also named the City of Wildwood and its Police Department as defendants, charging that the department failed to train Cramer properly in high-speed pursuit tactics.

Attorneys representing Cramer contended that state laws gave police immunity from liability for the actions of fleeing suspects. That view was supported by the New Jersey State Policemen's Benevolent Association and the office of state Attorney General Robert J. Del Tufo, whose deputy, Boris Moczula, argued the case for the state.

Moczula argued that several safeguards were in place in regard to police pursuits, including a list of guidelines published by Del Tufo in January. They call for in-service training about pursuits, mandatory reporting of officer and permission from a superior officer to continue a chase. It also lists instances and criminal offenses — such as rape, murder or arson — for which pursuits of suspects may be warranted. It strongly discourages pursuits to snare minor traffic violators.

But Moczula warned that the new ruling did not give police free reign to initiate high-speed pursuits.

"For the police officer who believes that today's ruling means that you can

now chase anytime and anywhere, the pursuit policy promulgated by the Attorney General will be a rude awakening," he said. "Even in those cases when a pursuit is justified, there are other considerations — weather conditions, time of day, how many people are on the street. [The guidelines are] not an automatic license to pursue. And the pursuit policy itself makes it very clear that no officer will be disciplined for breaking off a pursuit, even when it is justified."

Anne P. McHugh, a Princeton lawyer who represented the Tice family in the case, blasted the court's decision, calling it "a license to kill."

"I think today's ruling is devastating," she told The New York Times. "The result is not just bad for John Tice Jr., but for all New Jerseyans. We are not on the flats of Utah; we live in a highly urbanized area and to say that cops are allowed to jump into their car and do whatever they want is, to me, irrational."

In recent years, some courts have reined in police discretion on whether to engage in pursuits. In a 1990 case, the Texas Supreme Court reversed summary judgments granted to Mesquite police officers who pursued a car whose occupants were suspected of prostitution. During the chase, the suspects tried to elude pursuing officers by driving the wrong way on a highway access road, but they crashed into another car, killing one occupant and injuring others. Initially, a trial court granted final summary judgment in favor of the City of Mesquite and the police officers. But the Supreme Court reversed that decision because it found that the police decision to pursue amounted to the "proximate cause" of the accident. [See LEN, Feb. 28, 1991.]

Sentencing option "ads" up for some Florida offenders

A change in publishers has led to a change of heart for a Florida newspaper that two years ago refused to cooperate with a local judge's novel approach to alternative sentencing for certain misdemeanor offenders.

The Pensacola News Journal announced last month that it would begin accepting ads placed by people convicted of such crimes as soliciting for prostitution, shoplifting, passing bad checks, lewd and lascivious behavior, driving while under suspension, domestic violence and drunken driving. In 1990, Escambia County Court Judge William White began giving defendants a choice of purchasing the ads or serving time in jail. At the time, the newspaper's publisher, Kenneth Andrews, said the paper would refuse to sell the advertising because he did not want the paper to become "a vehicle for court-ordered public humiliation." [See LEN, Dec. 31, 1990.]

But Andrews' successor, Denise Bannister, said she disagreed with that assertion, saying that the newspaper publishes a lot of legal advertising over which it has no control as to content. "This is no different in my mind than any other legal ad," she said. "We don't exercise any control whatsoever on the content of those ads, and we won't on these either."

At press time, White had offered the

sentence to at least three people, one of whom accepted and purchased an ad that ran in the newspaper last month. Reginald Gutierrez, who was convicted of a second DUI offense, paid \$150 in advance for a two-inch-long ad that included his photograph and which read, "I pled guilty to the charge of DUI. Defendants must also sign the ads."

White, a former prosecutor who was elected to the bench in 1988, said his decision to once again offer the choice to misdemeanants was bolstered by a recent decision by a state appeals court that upheld a similar sentence offered by Indian River County Judge Joe Wild.

For several years, Wild ordered DUI offenders to place a photo ad in the Vero Beach Press-Journal, but stopped imposing the sentence about a year and a half ago. He then began ordering defendants to contribute to a fund to purchase anti-DUI public service ads on television. The practice has reportedly helped decrease the number of drunken-driving offenses.

White added that a study in Canada found that the practice appeared to offer some deterrent effect. "I got that article and the appellate court decision and sent them to the publisher of the newspaper, and asked them to consider reconsidering... and they decided they would publish them," he told LEN.

White said he is offering the choice

as part of a pilot program in the hopes that the ads may prompt others to think twice before committing offenses. He said a practice by another Florida judge of ordering those convicted of DUI to place bumper stickers on their cars that reveal the nature of their offense is credited with a 30-percent drop in DUI arrests. "We'll try it for a period of time and see if it does have a deterrent effect," he said, adding he has also decided to borrow the bumper sticker idea.

"I think it's worth exploring different alternatives to see whether or not we can do something about this veritable tidal wave of crime," he said. "We've got a problem in Florida of just being able to house prisoners. I don't sentence people to prison since I'm not a felony judge, but we have jail overcrowding in our local jails."

MOVING?

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See ya, Seattle

A law enforcement era will end in Seattle next February when Police Chief Patrick S. Fitzsimons steps down from the post he has held for 15 years, ending a 37-year career.

Mayor Norm Rice announced Fitzsimons' retirement at a July 15 news conference, where he lauded the former New York City police official for serving the city "with true professionalism, extraordinary commitment and great personal sacrifice."

Rice credited the 63-year-old Chief with shaping the Seattle Police Department into "one of the most respected, most imitated law enforcement organizations in the nation."

"Seattle is a national leader in community policing," he said. "Under the leadership of Pat Fitzsimons, the diversity of our Police Department has grown by leaps and bounds. We have increased the representation of people of color and women at virtually every level of the department. We've seen a steady increase in the commitment to diversity training, community outreach and greater understanding."

Fitzsimons will remain at the helm until February, when a national search for a successor is expected to be completed, the Mayor added.

Fitzsimons won't be hanging a "gone fishing" sign on his door, however. "I have other offers," he said in a recent interview with LEN, although he declined to be specific. "Some are private and some are in the public sector."

Fitzsimons pointed to his efforts to recruit minorities and women to the 1,250-officer police force as his foremost accomplishment. "Most of the people here have been hired and promoted by me. I've hired about 60 percent of the people that are here now, and I think we have excellent people."

The Chief, who plans to remain in the Seattle area, said his successor may have to deal with some harsh budget cuts. This fall, voters in Washington will consider ballot propositions which could limit or even roll back state taxes. The Seattle Police Department receives \$3.5 million of its \$100-million budget from the state, and if that dries up, the new chief will be forced to make some tough decisions, Fitzsimons predicted.

"I don't want to go through that

business of laying people off that I went through when I was in New York," said Fitzsimons, who left the New York Police Department as an assistant chief in charge of the Office of Management Planning. "I did that once, and I don't intend to do it again."

Police will also have to play an increasing role in dealing with the social problems that breed crime — whether they like it or not, Fitzsimons observed. "I think policing today is being used to fill in the gaps of a lot of failed institutions," he said, noting that police involvement in such programs as Drug Abuse Resistance Education (DARE) "indicates a fundamental weakness in some of the issues of social control and the family."

"A lot of our institutions have had problems and police are being called in across a very wide front to help stem the tide of crime and violence, gang activity and incivility — the kind of 'dissing' and disrespect that are precursors to violence — and police are being asked to deal with all of that. People are turning to police because they have the strength and credibility to do something about some of these problems. There's nobody else around to do it."

Fitzsimons began his policing career in New York, walking a beat in Harlem, in 1957. He rose through the ranks to successively head a narcotics district, a homicide squad, a burglary squad, a youth division and a detective division. In 1970, he commanded the NYPD's Field Internal Affairs Unit, was named special assistant to the chief of patrol a year later, and became the executive aide to the chief of detectives in 1972. In 1973, Fitzsimons was named director of training for the department, then was promoted to the rank of deputy chief in charge of the busy Manhattan South borough command.

Following his muse

A police officer with 10 years on the job recently gave up the relative security of a law enforcement career to seek fame as a musician with a band that is becoming well known for its unique blend of Irish traditional music and American rock 'n' roll.

Christopher Byrne, 30, had taken a one-year unpaid leave from the New York City Police Department to devote



The members of Black 47 gather near the Williamsburg Bridge in Brooklyn. From left to right: former police officer Christopher Byrne, Larry Kirwan, Thomas Hamlin, Fred Parcells and Geoff Blythe.

(Photo: Mark Seliger)

his energies full time to the band Black 47. The group, which was formed in 1989 and quickly gained a cult following at a Midtown bar, takes its name from the worst year of the Irish potato famine, 1847. Byrne, one of the band's five members, plays Uilleann pipes, a traditional Irish musical instrument related to the Scottish bagpipe.

When his leave ended in July, Byrne resigned from the force, knowing full well that he was trading in the job security of policing for a life in the dog-eat-dog world of the music business. In that world, Byrne's success will be measured by hit records, not meritorious citations — of which he earned six as a cop assigned to the busy Midtown North Precinct in Manhattan.

So far it appears that Byrne's gamble may be paying off. The band recently released its first album, "Fire of Freedom," and has toured the South and the Midwest, including a stint at the Farm Aid fundraiser. A video of their single "Funky Ceili" has received extensive play on MTV and the band has appeared on "Late Night with David Letterman" and "The Tonight Show."

Had Byrne stayed with the Police Department another 10 years, he would have been eligible to retire with a half-pay pension. Then there are the other perks that were available to him as one of New York's Finest, such as paid vacation and medical benefits — benefits that a married man with three young children does not easily give up. "There's quite a lack of security in the music business," Byrne acknowledged in a recent LEN interview. "I know very few people with families who can get by without working two jobs."

Byrne's musical vocation preceded his police career by about five years. He played in numerous bands, and learned to play the Uilleann pipes and the Bodhran drum while spending summers with relatives in Ireland. He also nurtured a love for traditional Irish music that is an integral part of the band's sound. Their songs — most written by lead singer Larry Kirwan

— often focus on the plight of immigrants, political prisoners and the downtrodden. "The songs deal with everyday people rather than heroes because basically, we don't know any heroes. Everyday people just getting through everyday life are probably more heroes than anyone else," he said.

The band's mix of traditional Irish music and rock 'n' roll has earned it a loyal following that has expanded beyond the New York music scene. Byrne said he is gratified by the response Black 47 has received just about everywhere it has appeared. "We played in Ames, Iowa," said Byrne, in a voice that betrays a hint of Irish brogue, "which, when I heard we were going there, I found bizarre. But even though there's an ethnic tinge to the music, I think the themes are universal."

Police work gave Byrne the "ability to see through people a little quicker" which he said helps in a business as well known for its flakiness as for its stars and fickle audiences. "There are a tremendous number of phonies in the record industry," Byrne observed, and being able to see them for what they are keeps the band from getting involved in unscrupulous deals.

The people are what Byrne misses most about the Police Department, and fellow officers are the group's most fervent fans. But then, he conceded with a chuckle, "There's some people I worked for that I don't miss."

Fox tale

James M. Fox, the assistant FBI director in charge of the bureau's flagship New York office, says he plans to retire at the end of the year, ending a 31-year career during which he led investigations that nabbed and ultimately helped convict organized crime boss John Gotti, and snared the alleged bombers of the World Trade Center.

Fox announced Aug. 11 he would be stepping down before Dec. 31, after the expected conclusion of the trial of the Muslim fundamentalists accused of the Feb. 26 World Trade Center bombing that killed six people. "If I can go out with a conviction in the World Trade Center case, I'll be happy," said Fox, who at 55 is one year shy of the bureau's mandatory retirement age.

Fox said he had "anguished" over the decision, but decided to leave at year's end so he could retire "on my terms." He added that the arrests in June of several reputed terrorists who planned a second wave of bombings of New York City landmarks complicated his decision.

Fox said he has received offers to work in television as a consultant and may write a book based on his experiences in the bureau. He said that following the last year's successful conviction of Gotti — who had beaten Federal charges in two previous trials — he told his wife the case would be the capstone of his career. Gotti is currently serving a life term at the Federal super-maximum-security prison in Marion, Ill.

"I thought I would fade away and retire quietly," he said. The World Trade Center bombing forced him to reconsider those plans.

Fox came to the FBI's New York office in 1984 as the special agent in charge of the Soviet intelligence division, following assignments in Chicago, Los Angeles, San Francisco and Washington. He was named deputy regional director in 1986, then appointed to his present post in 1987. During his tenure in New York, Fox sought to increase the number of black and Latino agents and successfully lobbied Congress to provide pay incentives to New York-based agents, who were leaving because of the city's high cost of living. [See LEN, Nov. 15, 1988.]

Best-laid plans

Charles Moose, the new Police Chief of Portland, Ore., says the Police Bureau's five-year transition to community policing is proceeding ahead of schedule — so much so that it will be necessary to draft a new five-year strategic plan under which the philosophy will be institutionalized throughout the entire agency.

"As we come near the conclusion of year three, we've discovered that the plans we had for years four and five are either no longer relevant or we've probably already done some of those things," Moose said in a recent interview with LEN. "We feel that in some ways we've made a lot of headway on the transition and now we're just trying to institutionalize community policing."

Moose, an 18-year veteran of the Police Bureau who was promoted to deputy chief last September, was sworn in to head the 890-officer force on June 30. He succeeded Tom Potter, who retired earlier this year after 27 years as chief. Mayor Vera Katz chose Moose from a list of four finalists culled from a national search.

The Lexington, N.C., native said the bureau's new five-year plan would be drafted in the fall, with an eye toward finalizing it by January. The current plan has allowed the bureau to achieve several goals, he said, including devel-

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People & Places

oping a "lot more rapport and interaction with the various communities we serve" and "changing the culture" of the bureau. "We have community groups who now refer to police officers assigned to their areas as 'their' police officers. A lot of barriers have been broken down," he said.

Under the current plan, officers are assigned to the city's neighborhood associations, meeting often to discuss problems and work out solutions. Portland's strong network of neighborhood associations plays a key role in "making community policing successful" in Portland, Moose said.

Moose said the program's effect on crime is hard to measure and noted that in some areas, problems have been successfully addressed, only to pop up elsewhere. But he feels confident that



Chief Charles Moose

Likes sensitive, thinking cops

the effort has markedly reduced the fear of crime so prevalent in large U.S. cities. "We feel we've provided some relief in neighborhoods, where, for a lot of years, they felt pretty hopeless."

Moose, who is the bureau's first black police chief, says his appointment shows the city's diverse residents that "if you work hard and have the proper qualifications, you can be selected and be given an opportunity. There's a lot of pressure with regard to being a role model."

The new Chief is a strong believer in higher education for police officers, having earned a bachelor's degree in history as well as a master's degree in public administration. He is nearing completion of a doctorate in criminology at Portland State University.

"As we move into the 21st century, I think our police officers have to be culturally sensitive, they have to have historical perspective on where the police have been and communities where problems have been," he opined. "In community policing, we talk about problem-solving. We need people who can think and work through situations, analyze data and be innovative in their proposed solutions. Higher education assists that."

Building a foundation

New Orleans Police Supt. Joseph M. Orticke Jr., who was sworn in as head of the 1,560-officer Police Department on Aug. 2, knows he may be a lame duck since he serves at the pleasure of the mayor and Mayor Sidney J. Barthelmy's second and last term ends next year.

But Orticke, 45, said in a recent interview with LEN that the possibility of a brief tenure will not affect his plans to improve morale and tackle other problems that have dogged the department. "One of my main goals is to rebuild public trust and respect for the police department," the 25-year veteran said. "I want a well-organized, professional police department, and I won't condone brutality in any form."

Allegations of brutality are just one of several controversies that have enveloped the department in recent months. In July, the city released transcripts of police radio transmissions after the 1990 arrest of Adolph Archie, who had just fatally shot an officer. The angry and cursing officers could be heard calling for the suspect's death; Archie died in police custody, and there were signs he had been severely beaten.

Also in July, officers staged a two-day sickout to protest a moratorium on overtime and demand collective bargaining rights. And earlier this year, Supt. Arnesta Taylor's hand-picked



Supt. Joseph Orticke

Hitting the ground running

vice squad was dismantled after a commander and two subordinates were indicted on charges of filing fake search warrants, stealing cash and shaking down bar owners in the French Quarter.

Orticke is only the second New Orleans police superintendent to have been promoted through every rank of the department, and the first black to achieve that distinction. As deputy superintendent, Orticke was in charge of the Field Operations Bureau, with responsibility for the agency's entire uniformed force.

Orticke said that while he has no influence over labor negotiations, he is doing what he can to improve morale. "I have started advisory committees... to discuss working conditions as they pertain to the rank and file," he said. "I'm trying to open the lines of communication with the various police organizations so we can discuss these issues. My responsibility is to run a police department that can protect and serve the community, and reduce crime."

A management team assembled by Orticke is looking into "the way we handle vice crime investigations," along with other issues, including how to implement recommendations to improve the department that were made by the International Association of Chiefs of Police in a 1991 report.

"I need to put together a solid foundation for the implementation of these proposals so that regardless of who the next superintendent may be — if I'm not kept on — this process will be well underway," he said.

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Once again, FBI-DEA merger is weighed

Continued from Page 1
creating a "Directorate of Central Law Enforcement" modeled on the organizational structure of the Central Intelligence Agency.

[As Attorney General, Reno would be elevated to the position of "police czar," giving her unprecedented power as both the head of the Justice Department and the leader of the entire U.S. law enforcement community. The Attorney General would chair a White House law enforcement council, which consists of the heads of the departments of Treasury, State, Interior, Defense, the CIA and the Office of National Drug Control Policy. The Times said Gore plans to make his recommendations public on Sept. 7.]

Senator Biden, whose support would be crucial for such a merger to occur, told The New York Times that he was inclined to oppose the plan. "It sounds great, but I've been here a long time and I remember why we set up the DEA in the first place, and that was because the

FBI didn't want to do this stuff," he said.

Senator Dennis DeConcini (D-Ariz.), anticipating the plan, inserted language in a pending Treasury Department appropriations bill for 1994 that forbids any shift of ATF enforcement powers.

DEA officials have already moved into a combat-ready mode against the merger proposal, distributing papers throughout the Government to warn that its drug-fighting capabilities would be severely compromised by such a move. They have issued a proposal of their own — to take away the FBI's drug-enforcement functions and merge them into the DEA. The fight against drugs requires "a single-mission" agency, the document said, adding that the DEA was much more efficient than the FBI in conducting narcotics investigations.

FBI officials, who prepared a document for Gore's panel, said a merger would save money and improve law

enforcement efforts against drugs because the bureau has wider ranging expertise in crimes often associated with drug trafficking, such as money laundering, fraud, murder and terrorism.

The DEA was created from the former Bureau of Narcotics and Dangerous Drugs by the Nixon Administration in 1973 as part of a major offensive against narcotics trafficking. Former FBI Director J. Edgar Hoover had resisted assigning agents to anti-drug investigations and opposed putting the drug agency under the FBI's purview. Currently, about 2,800 DEA agents are assigned to drug enforcement, compared to 1,700 of 10,000 FBI agents. The bureau's budget is nearly three times the DEA's \$718 million.

A longstanding rivalry has existed between the two agencies. FBI officials often view DEA as "cowboys," but the drug agency regards itself as more

innovative and thus able to effect more arrests. While the agencies have cooperated on cases, they have also butted heads. Former DEA Administrator John C. Lawn, who was an FBI agent for 18 years before being named to head the drug agency, told The Times that the bureau was always reluctant to share its computerized data. He called the proposed merger "a terrible idea."

"The bureau is into selective narcotics enforcement," said Lawn. "They select that portion of it they think they can deal with, and deal with it and let the rest slip aside."

Lawn, who led the DEA until 1990 and is now a vice president of the New York Yankees baseball team, said the nation's drug problem is so entrenched "it required there be an agency with a single-mission task. The drug problem is serious enough, and precipitates enough violent acts, that it warrants an

organization with accountability."

A merger would certainly affect morale among DEA agents, and bad morale could hamper drug investigations, said George J. Terwilliger, who served as Deputy Attorney General during the Bush Administration. "Each of these agencies has a lot of institutional pride and wants to display its wares to the public and to Congress, which provides its funds," he said. "There are some downsides to a merger and one is that street agents of the DEA would take it as an insult."

Lawn added that DEA agents are stationed in more than 50 foreign embassies, which gives them an advantage in gaining the trust and cooperation of law enforcement officials, who know the agents' sole responsibility is drug enforcement. FBI agents, he noted, could also be involved in counterintelligence activities.

Budget battle over, Clinton moves on to anti-crime package

Continued from Page 1
states — California, Connecticut and New Jersey — have passed outright bans on the firearms.

Clinton added he had issued two executive orders that impose new restrictions on firearms. One adds foreign-made, assault-style handguns to the Government's current import ban on assault weapons. Clinton said the guns had become "the weapons of choice for many gangs and drug dealers."

The other order directs the Bureau of Alcohol, Tobacco and Firearms to review all of the 286,000 current gun dealer permits, conduct background checks on license holders and weed out those who are not legitimate. The order is an effort to impose stricter licensing of gun dealers and curtail the flow of weapons that are sold in batches to people who do not run legitimate gun businesses, but who operate by paying a \$30 fee to BATF.

Other proposals in the Clinton anti-

crime package include:

¶ A \$100-million Police Corps program that will provide college scholarships and police training to up to 5,000 students who agree to make a four-year commitment to work in their communities as police officers.

¶ A \$475-million "Safe Schools Initiative" that will allow local school districts to hire security personnel and equipment, including metal detectors, and pay for up to 4,000 police officers who would be assigned to beats at local schools.

¶ A \$700-million "Community Partnerships Against Crime" program that would provide up to 5,000 sworn and non-sworn law enforcement officers to work in public housing.

¶ A \$500-million plan to put up to 7,000 police officers in nine economic "empowerment zones" and 100 "enterprise communities."

¶ A \$10-million Labor Department program that would retrain 1,500 military veterans to become police officers.

Quiet departure at DEA Amid talk of merger, Bonner resigns

Robert C. Bonner, who led the Drug Enforcement Administration during a period of vigorous growth spurred by a new national "war on drugs," announced his resignation from the agency on Aug. 3.

In a brief statement, Bonner, who was appointed to be the DEA's Administrator by former President George Bush in 1990, gave no reason for his resignation.

"It has been a great privilege to head the DEA, the world's premier law enforcement agency," he said. "Much has been achieved over the last three years in charting a strong direction for DEA. I am proud of the

accomplishments of the fine men and women of DEA."

Bonner added that he had informed Attorney General Janet Reno he would remain at his post until a successor is named. DEA spokeswoman Joyce McDonald told LEN that Bonner is expected to step down by Oct. 1.

Bonner's action sparked speculation that he may have resigned because he opposes a proposed merger of the DEA into the FBI. Word of the plan was leaked to the press just days before Bonner resigned.

Bonner, 52, was a U.S. District Judge in Los Angeles when he was appointed to head the DEA. He also spent five

years as U.S. Attorney for the Central District of California, which includes Los Angeles, where he oversaw investigations into a huge money-laundering ring and the 1985 murder of DEA agent Enrique Camarena Salazar.

Under Bonner, the DEA refocused its approach to drug enforcement, targeting drug kingpins and building cases using wiretaps to gather evidence. He also lobbied to increase agents' salaries and the agency's budget.

Bonner reportedly plans to enter a private law practice in Los Angeles.

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Village volunteers tackle crime, drug woes

Five years ago, Charles Dworkis, a contract manager for the City of New York and a former military policeman, moved into the city's East Village. The

BURDEN'S BEAT

By Ordway P. Burden

area is the storied home turf of many of the artists and writers of the 1930's and 40's. It still has an art colony, quaint streets, and fashionable boutiques.

The Village and its neighboring Lower East Side and Gramercy Park areas also had a serious crime and drug problem. "I was horrified by the problems I had moved into," Dworkis said. He responded by joining Eastside Volunteers Against Crack (EVAC), a citizens group aimed at creating a hostile environment for drug dealers and street criminals. EVAC had a good deal of

success with its citizen patrols and other measures against drugs and crime.

Last June, EVAC began sharing its expertise with other citizens groups by opening a Neighborhood Crime Prevention Center. Dworkis became executive director and heads a staff of four in what may be one of the nation's most ambitious efforts to battle drugs and crime. It is not unique, however. Robbye Mintz, information coordinator for the National Crime Prevention Council, said, "I'm sure there are hundreds of others around the country."

In fact, EVAC's crime prevention center is not even unique in New York. Tom Wall, a spokesman for the Citizens Committee for New York City, observed: "We work with, conservatively, scores of groups that are doing the same kinds of things. But the groups with which the Citizens Committee works do not have full-time employ-

ees. They are mostly all volunteer."

Few, if any, have the scope and breadth of experience of the EVAC crime prevention center in New York. The center has four focus areas:

Community Organizing: The center will send staff members to help organize new tenant, block or community groups, or to help others do it. "If there is a group that is already doing local organizing, we would work with them," Dworkis said. "When we're working with neighborhood patrol groups, we like to have them come with us as we do the training so that they can share their insights. We want to share the accumulated knowledge of everybody who's doing anything in drug and crime prevention."

Training and Assistance: EVAC has a training manual called "The War on Drugs: Solutions for Your Neighborhood," which is its textbook for its

battle against crime and drugs. Among other things, the manual covers how to organize for community improvements, how to set up neighborhood patrols, what to do if you witness a crime, how to stop drug activity, evict a drug dealer or close a crack house, and how to form effective partnerships with the police and other government agencies.

Training Seminars for Individuals: Public seminars are held several times a year on various drug and crime prevention topics.

Crime Victims Assistance: The center's victim assistance program covers three police precincts and aims to help senior citizens who have been victimized by referring them to appropriate agencies for counseling and in obtaining victims' benefits.

Other organizations cover other precincts in the city to help seniors who have been crime victims.

"Unfortunately," Dworkis said, "business has been very good in our crime victims assistance program. We go into the police precincts at least once a week to get names and addresses of elderly crime victims on the East Side. We send out about 200 letters a month and we actually intervene on behalf of about 30 crime victims every month."

The EVAC Crime Prevention Center staff has excellent relations with the police, Dworkis said. "We literally work with them every day," he noted. "In this neighborhood, a lot of people are afraid to go to the police or don't know where to go in the police structure with information. So every day, we take information from our neighbors and get it to the right people in the Police Department."

Will Justice's Pendulum Swing Back? Over the past decade, the
Continued on Page 9

Idaho SP seeks money for more troopers

Idaho State Police officials say they'll hit the campaign trail to convince taxpayers that a \$16.75 increase in the license-plate fee is needed to allow the manpower-starved agency to hire more troopers and update its communications system.

State Police Supt. Ron Moore said the force is covering the state with eight fewer troopers than it had in 1978. The situation is so acute, he said, that no more than 42 of the 165-member patrol force are covering the state's 56,000 miles of highways during a given shift.

"Idaho is growing and we've got to grow with it," Moore told The Idaho Statesman. The state's population growth is reflected in the 43-percent increase in vehicle miles traveled on state roads in the past decade, he added.

The growing population has paralleled a rapid shift in the duties of state troopers, Moore noted. He said they patrol an average of 2.4 hours, or only 30 percent of the time; for 5.6 hours they write reports, train, appear in court, investigate accidents, assist other police agencies and carry out other non-

patrol functions. Just seven years ago, that ratio was reversed, he added.

The end result has been a decrease in enforcement efforts against speeders and other traffic violators, said Moore. "When you look at the number of patrol officers versus the number of potential violators, we don't amount to a hill of beans," he said. "Where we have so few people, it is practically futile."

Moore said the State Police issued 5,567 fewer speeding tickets in the first six months of this year than during the same period in 1992 — a 24-percent

decline. They wrote 17 percent fewer summonses overall, partly because of a reduction in the workday from 8 to 8 hours, he added. The Superintendent said he also told troopers they need only to hand out report forms in minor non-injury accidents.

This month, State Police officials were planning to take their pitch for the license-fee increase on the road, addressing local civic and business leaders. The \$21-million that the increase is expected to generate would be enough to allow the State Police to hire 58 officers and finance an updated, centralized communication system. Moore said that officials will also seek suggestions from citizens during their campaign, in keeping with its new State Police and Community Emphasis program.

State legislators, including Senator Atwell Perry, a Republican who chairs

the Senate Finance Committee, predict the push for more funding may hit a roadblock, especially in view of the 4.3-cent gas tax hike approved as part of President Clinton's recently passed budget, and the fact that the request comes during an election year. In addition, motorists who buy cars selling for \$20,000 or more were recently hit with a \$36.48 registration fee.

"Increasing their personnel by approximately one-third will not happen," predicted Senator Roger Madsen, a Boise Republican. "A 10-percent increase might be warranted. But there are other issues. Medicaid, public school funding, corrections. With me, this is a fourth."

Representative Kitty Gurnsey said that a study into State Police operations might be warranted before a license-fee hike is approved.

More potent & more plentiful, heroin returns with a bang

In recent years, drug experts have been warning of a new epidemic of heroin use in the United States. That prediction now seems to be coming to pass, as evidenced by statistics on drug arrests, drug-related hospital emergency room visits and reports that the drug is popping up in places where it was once uncommon.

Officials of the Drug Enforcement Administration told The New York Times recently that they take the upsurge in heroin use very seriously, and have nearly doubled their efforts against heroin trafficking both in the United States and abroad.

"There has unquestionably been a significant increase in the use of heroin in the United States, and it appears to be continuing to expand," said DEA Administrator Roben C. Bonner.

The agency plans to increase heroin investigations by about 25 percent, while cutting back on enforcement efforts against marijuana and methamphetamines. Cocaine will continue to be the chief focus of DEA investigations, according to an aide to Bonner.

What many observers find most alarming about the resurgence in heroin use is that the drug is much purer than it was 20 years ago, when then-President Richard M. Nixon branded the narcotic "Public Enemy No. 1." More young people are using the drug — evidence that the once abhorred substance has taken on a trendy cachet. In addition, more crack addicts are using

heroin to ward off the adverse effects of cocaine, with the end result that they become addicted to both drugs.

"Two years ago, if young people were using drugs, it was cocaine," said Lawrence J. Ouellet, a sociologist at the University of Illinois, who studies drug use in Chicago. "Now many of them are using heroin. It's happening little by little."

"People buying crack would say, 'Do you know where I can get some heroin?,' and it took off like that," said Anthony Davis, a drug counselor at San Diego's McAlister Institute.

Thomas F. O'Grady, chief of DEA's heroin investigations section, told The Times that heroin purity has increased exponentially in recent years, increasing the chances that users might suffer overdoses. Ten years ago, he said, a \$10 bag of heroin was only 3 percent to 4 percent pure. Now, the average purity ranges from 81.7 percent in Boston to 6.3 percent in Houston, for a nationwide average of nearly 35 percent.

The rise in heroin use is reflected in statistics on drug arrests and heroin-related hospital emergency room visits. The Substance Abuse and Mental Health Services Administration reported in April that 13,387 people sought help for heroin-related problems during the summer of 1992. An all-time high, that figure represents an increase of 30 percent over the previous summer.

In 1992, heroin-related drug arrests

in New York City made up 36 percent of all narcotics arrests, second only to the 51.9 percent that cocaine represented. In 1988, the percentage of heroin-related arrests was 28, compared to 55 percent for cocaine. The pace is continuing so far this year — 40 percent of drug arrests in the first two months of 1993 involved heroin, compared to 47 percent for cocaine.

New York is seen as the nation's cleanhouse for heroin — a major packaging and distribution point for traffickers who bring the drug in from the Golden Triangle of Southeast Asia (Myanmar, Thailand and Laos), Pakistan, Afghanistan, Lebanon, Mexico and Colombia. The increase in supply has forced dealers to sell high-grade brands to keep old customers and attract new ones.

Today's users, fearful of contracting the deadly disease AIDS, are more likely to snort heroin, rather than injecting it intravenously. And because brands currently being sold are so pure, the effect is just as desirable as a "needle high."

"At high levels of purity, you can snort heroin and get a pretty good high," said Dr. Roben B. Millman, the director of drug and alcohol abuse programs at New York Hospital's Payne Whitney Clinic. "But when the purity was 3 or 4 percent, you had to inject the drug to get the desired effect. The needle has always scared away some people [from heroin use]. Now that barrier is gone."

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Qualifications: Considerable knowledge of accounting/auditing principles; of compiling and analyzing data; of principles of civil and criminal law investigations; of state and Federal law relating to thefts, fraud, embezzlement, tax and other related criminal violations. Effective decision-making and communications skills. Ability to qualify and use a firearm. Ability to write investigative reports and present contents verbally. Graduation from college or university with documented evidence of college course work in accounting. Experience as a law enforcement officer in the investigation of fraud and other financial crimes. Department of Criminal Justice Services certification preferred.

Polygraph examination, background investigation, physical examination and drug screening required. Must meet all basic qualifications for a sworn position and satisfactorily complete mandatory law enforcement training requirements.

State application form #10-012 must be received by the Personnel Division, P.O. Box 27472, Richmond, VA 23261-7472, by 5:00 p.m. on Sept. 17, 1993. For further information, contact (804) 674-2063. EEO/AA employer. Reasonable accommodation upon request.

Warner:

Once again, talk turns to merging DEA

By John Warner

"Here we go again." This statement, made famous by former President Reagan, can be aptly applied to the current proposal by the Clinton Administration to merge the functions of the Drug Enforcement Administration and the Bureau of Alcohol, Tobacco and Firearms with the Federal Bureau of Investigation. The purpose is to eliminate overlapping jurisdictions and the resulting turf battles. While this noble sentiment merits applause, one cannot help but be pessimistic about the will and enforcement mechanism to accomplish it.

It is difficult to keep track of the numerous previous efforts that have been made in this regard. From the very start of the Federal Bureau of Narcotics (FBN) in 1930, its sister agency in the Treasury Department, the U.S. Customs Service, infringed upon the FBN's responsibility. Customs has a statutory responsibility to seize contraband, including drugs, at ports and borders. However, to this day it has persistently engaged unilaterally in narcotic investigations beyond the nation's borders.

In the mid-1960's, when psychotropic and other non-narcotic dangerous drugs became a national problem, the Bureau of Drug Abuse Control (BDAC) was established in what was then the Department of Health, Education and Welfare. The trouble was that traffickers did not observe the fine-line interagency distinctions. They provided services for profit, and often narcotics as well as dangerous drugs were manufactured and distributed by the same organization, causing conflicts between FBN and BDAC. Added to this was the existing and ever-increasing friction between FBN and Customs during the French Connection days.

To solve the problem, President Johnson issued an executive order combining the BDAC and the FBN into the Bureau of Narcotics and Dangerous Drugs (BNDD), and placed the new organization within the Department of Justice. This move, as beneficial as it was to centralize drug enforcement in one agency, did not address the ever-expanding incursions by the Customs Service into the jurisdiction of the new agency.

After trying unsuccessfully to resolve the conflict on the level of the Attorney General and the Secretary of the Treasury, President Nixon

(John Warner was a career agent and official with the Bureau of Narcotics and Dangerous Drugs and the Drug Enforcement Administration. He retired from DEA as the agency's Director of Foreign Operations.)

"At last count there are more than 30 agencies involved in one phase or another of drug enforcement. The battle for publicity, justification for existence, and increased budgets keeps on going like the Energizer Bunny."

issued a written order placing BNDD in the lead position and requiring Customs to concentrate its efforts strictly on border interdiction. This order was met with non-observance by the Customs Service, and the problem continued to fester.

Another reorganization was thus conceived to finally eliminate overlapping jurisdictions and turf battles. The Drug Enforcement Administration was created in 1973 by merging Customs'

drug investigators and some other functions with the BNDD. One would think that this action would finally solve the conflict. It did so in part, although Customs continued to nibble around the edges. At length, the Reagan Administration overturned the consolidation of the drug enforcement function in DEA by bringing the FBI into the mix. The FBI was given concurrent jurisdiction, the DEA Administrator was unceremoniously

relieved, and FBI officials assumed the top two positions in the drug agency. The DEA Administrator now had to report to the FBI Director.

At the same time, more and more Federal agencies were assigned to participate in the non-war on drugs. The proliferation of agencies intensified jurisdictional disputes, duplication of effort and uncoordinated operations, which sometimes caused danger to agents who participated. Major long-term investigations had to be aborted because of the precipitous actions of another agency. At last count there are more than 30 agencies involved in one phase or another of drug enforcement. The battle for publicity, justification for existence, and increased budgets keeps on going like the Energizer Bunny.

The new Administration must ask: Can the
Continued on Page 10

Lieberman:

Giving the green light for vigorous enforcement of hate-crime laws

By Michael Lieberman

The U.S. Supreme Court's unanimous decision on June 11 upholding the constitutionality of Wisconsin's hate crime penalty-enhancement statute removes any doubt that state legislatures may properly increase the penalties for crimes in which the victim is targeted because of his or her race, religion, sexual orientation or ethnicity. The focus now turns to efforts to ensure more effective enforcement of these laws.

Confronting Hate Violence

Hate crimes are designed to intimidate the victims and other members of the victim's community in an attempt to leave them feeling isolated, vulnerable and unprotected by the law. These crimes can have a special emotional and psychological impact on the victim and his or her community, exacerbate racial, religious or ethnic tensions, and lead to reprisals by others in the community. By making members of minority communities fearful, angry and suspicious of other groups — and of the power structure that is supposed to protect them — these incidents can damage the fabric of our society and fragment communities.

Even the toughest laws are irrelevant absent a commitment by local officials and law enforce-

ment authorities to address each hate crime in the most effective manner possible. If these acts are dismissed as "pranks" or ordinary cases of vandalism, assault or arson, an isolated incident could fester and explode into widespread community tension. Effective responses to criminal activity motivated by prejudice, on the other hand, can deter crime, help allocate resources, and advance police-community relations.

Getting a Message Through

Along with human rights groups like the Anti-Defamation League, the law enforcement community has actively supported hate crime penalty-enhancement legislation and data-collection initiatives. At present, 47 states and the District of Columbia have enacted some type of statute addressing hate violence.

Like laws in some two dozen other states, the Wisconsin penalty-enhancement statute approved by the Supreme Court is based on a model law drafted more than 10 years ago by the Anti-Defamation League. A similar Federal hate-crime measure, the Hate Crime Sentencing Enhancement Act, sponsored by Representatives Charles Schumer (D.-N.Y.) and James Sensenbrenner (R.-Wisc.), is now pending before Congress and is likely to be enacted into law.

Under these laws, no one is punished merely for bigoted thoughts, ideology or speech. But when prejudice prompts an individual to act on these beliefs and engage in criminal conduct, a prosecutor may seek a more severe sentence. Increasing the penalties for these crimes has a deterrent impact — by demonstrating that they will be dealt with severely — while reassuring targeted groups that law enforcement officers treat these matters seriously.

The Case Against Mitchell

The Wisconsin hate crime statute approved by the Supreme Court authorized enhanced sentences when the defendant "intentionally selects the person against whom the crime...is committed...because of the race, religion, color, disability, sexual orientation, national origin, or ancestry of that person...." Mitchell was convicted of aggravated battery, but the jury also

Continued on Page 10

(Michael Lieberman is the Associate Director and Counsel of the Washington office of the Anti-Defamation League. He has written extensively on the impact of hate crimes and was actively involved in efforts to secure passage of the Hate Crimes Statistics Act.)

Letters

Issues and answers

To the editor:

I am writing regarding various stories in the June 15 and June 30 issues. On gun control, I don't know where the Harris people got their stats. Most gun owners who belong to major organizations such as NRA are not in favor of restrictive measures. As for those who were polled, if the questions were written with a bias, the answer would come out for gun control no matter how it was answered. I doubt the sample was a major cross-section of the nation. When are the big cities back East going to realize that all the control in the world will do nothing but encourage the criminal element? The only victims are the law-abiding public. If you want real stats, look at New York and D.C. crime stats before and after gun control. As the guns were controlled, the crime went up. The criminals are not dumb. They will go after a soft target any day rather than an armed citizen.

As for bias crimes, why do we need a special law for every little group? We have enough laws already to protect all people from harm. To keep emphasizing race or gender or preference all the

time just fires up more tempers. As I was taught, all people are equal under the law. But now we have to say which law. This is all too confusing.

The story on British police was interesting. This new boss wants to run it like a corporation. Police work is not IBM. You can't expect people to produce a given amount of results if they do not have the chance to do it. I agree with some reforms to weed out dead wood, but this guy is off the wall. He will have the whole force in fear of their jobs and unable to do what they have been doing.

With regard to civilian review boards, we have seen in Los Angeles what happens when we let everybody except the experts review the cops — we have a circus and a riot. The only ones that can judge cops are cops — cops who have been on the front line in hot situations. If we let some group of "desk jockey" citizens who have never had to make a life-and-death decision in a millisecond take all the time in the world to pass judgment, well, I hope those communities are ready for what they will get. They will get a force of officers afraid to do their jobs for fear of adverse action brought by the "political correctness" police. The

level of service will drop and dangerous criminals will take over because the cops are scared.

My favorite was the article by Dr. A.C. Germann in the June 30 issue. It seems Dr. Germann has been off the streets for awhile. Maybe in his day on the beat all the people were nice and the cops could be nice also. If he would step down from the podium at the front of the lecture hall and ride a shift or two in South Central he might change his tune. Police forces are arranged and trained along military lines because they are soldiers in the war on crime. It is not a nice, clean, clinical classroom environment out there. Officers must be trained to be tough because it is tough out there. I'm sure Dr. Germann lives in a nice, peaceful world where he is unaffected by the vermin of the inner cities. If he were to see what his old beat is like now, he might understand that these "Bullies with Badges" are just regular people faced with beyond-regular situations.

You did have one article that was right on the money: "Champions" by Mr. Gibbs in the June 15 issue. He says it like it is. We have allowed ourselves to be run by the criminal element. We

keep pouring money down a hole trying to help them. They don't need help; they need to be locked away. At least they have one sound head in Miami. Don't go breaking any laws down there.

You have a good periodical here. It seems to be a bit slanted to the command level and to the eastern part of the country, but I can understand that. Keep up the good work. I'm glad that there is an undergraduate institution dedicated to educating the cop and helping to professionalize our job even more.

CHRISTOPHER E. LIVINGSTON
Police Officer
United States Mint Police
San Francisco

Note to Readers:

The opinions expressed on the Forum page are those of the contributing writer or cartoonist, or of the original source newspaper, and do not represent an official position of Law Enforcement News.

CALEA heads to Canada, adds 15

Pa. State Police is largest to be accredited

At its first meeting ever held outside the United States, the Commission for Accreditation of Law Enforcement Agencies certified 15 agencies and reaccredited nine others, bringing the total number of accredited law enforcement agencies to 268.

During the quarterly meeting, held July 29-31 in Edmonton, Alberta, the Camrose, Alberta, Police Department became the third Canadian agency to become accredited, and the Edmonton Police Service was reaccredited.

The newly accredited police departments include those in Redondo Beach, Calif.; Metro-Dade County, Fla.; Northfield, Ill.; Dubuque, Iowa; Gaithersburg, Md.; Montgomery County, Md.; St. Peters, Mo.; North Las Vegas, Nev.; Canandaigua, N.Y.; Xenia, Ohio; Oak Harbor, Wash., and Blacksburg, Va.

The Greene County, Ohio, Sheriff's Department was also accredited, and the Pennsylvania State Police, with

6,000 personnel, became the largest agency to date to achieve accreditation.

The agencies that were reaccredited were: the Birmingham, Ala., Police Department; the Garden Grove, Calif., Police Department; the Arapahoe County, Colo., Sheriff's Department; the Connecticut State Police; the Delaware State Police; the Cocoa Beach, Fla., Police Department; the Greenville County, S.C., Sheriff's Office, and the Highland Park, Texas, Department of Public Safety.

Florida leads the nation with 32 accredited agencies, followed by Ohio and Virginia, both with 23.

CALEA's next meeting is scheduled for Nov. 18-20 in Lexington, Ky. at which time a report on an ongoing comprehensive review of accreditation standards will be presented, as will a presentation about a study by the National Institute of Justice into accreditation and community-oriented policing

Burden's Beat: Watching the pendulum swing

Continued from Page 7

Supreme Court and the Reagan and Bush Administrations have favored increased toughness toward criminal defendants and convicts. The Court has eroded easy access to Federal courts for death-row inmates, weakened the exclusionary rule which forbids prosecutors from introducing evidence seized in violation of the Fourth Amendment, and permitted preventive pretrial detention.

Most police organizations agree with the Supreme Court's positions on limiting habeas corpus petitions of death-row inmates and permitting a good-faith exception to the exclusionary rule if an officer seized evidence when he believed he was acting lawfully. A fight may be shaping up in Congress over those issues as crime legislation, which failed to pass last year, is reintroduced.

The American Civil Liberties Un-

ion has submitted a lengthy list of recommendations to the Clinton Administration, calling for a restoration of civil liberties which the ACLU says were lost or significantly weakened during the Reagan and Bush years. The Clinton Administration has not yet taken an unequivocal stand on these and other issues of interest to law enforcement. But given the fact that Attorney General Janet Reno appears to be a good friend of law enforcement, we may be optimistic about the prospects.

(Ordway P. Burden is president of the Law Enforcement Assistance Foundation and chairman of the National Law Enforcement Council. He welcomes correspondence to his office at 24 Wyndham Court, Nanuet, NY 10954-3845. Seymour F. Malkin, the executive director of LEAF, assisted in the preparation of this article.)

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**UPPER
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Setting The Standards

It's time to get tough against hate crimes

Continued from Page 8
found that Mitchell had intentionally selected the victim because of his race, and thus the maximum penalty was increased by five years. Mitchell challenged the law, arguing that his First Amendment free-speech rights were being violated because the only reason for the enhanced penalty was his discriminatory motive in selecting his victim.

A particularly impressive group of government officials and human rights, police and civil liberties organizations — led by the United States Government and the attorneys general of the 49 other states — filed amicus briefs urging the Court to uphold the constitutionality of the Wisconsin statute. Fifteen national organizations signed onto the ADL's brief, including the Interna-

tional Association of Chiefs of Police, the Fraternal Order of Police, the National Organization of Black Law Enforcement Executives, and the Police Executive Research Forum, as well as the Southern Poverty Law Center, the National Gay and Lesbian Task Force, and People for the American Way.

On June 11, a unanimous Supreme Court rejected Mitchell's free-speech arguments, holding that his actions constituted "conduct unprotected by the First Amendment." The Court ruled that "a defendant's abstract beliefs, however obnoxious to most people, may not be taken into consideration by a sentencing judge." However, the Court went on to hold that legislatures may elect to more severely penalize bias-motivated crime because "this conduct is thought to inflict greater individual

and societal harm."

A New Tool for Law Enforcement

Unfortunately, some of the most likely targets of hate violence are the least likely to report these crimes to the police. In addition to cultural and language barriers, some immigrant victims fear reprisals or deportation if incidents are reported. Gay and lesbian victims, facing hostility and discrimination because of their sexual orientation, may also be reluctant to come forward to report these crimes.

Studies by NOBLE and others have revealed that victims are more likely to report a hate crime when they know a special reporting system is in place. The Federal Hate Crime Statistics Act, enacted in 1990, provides government and law enforcement officials with a tangible, practical tool to enhance police-community relations. The law requires the Justice Department to acquire data on crimes which "manifest prejudice based on race, religion, sexual orientation, or ethnicity" and to publish an annual summary of the findings.

Attention has now turned to implementation of the law by the FBI, as well as by state and local law enforcement officials. The FBI's well-crafted and inclusive hate-crime training manuals have now been distributed to over 16,000 law enforcement agencies nationwide. The bureau has also conducted training seminars for over 2,500 law enforcement officials, from over 700 agencies, across the country.

As implementation of the act expands, we will learn more about the perpetrators of hate crimes — and how to prevent them. Tracking hate crimes can help police officials craft preventive strategies and anticipate — and defuse — an increase in racial tensions.

The First Data

In January 1993, the FBI released its first report on hate crime data collected by law enforcement agencies around the country. The FBI report documented a total of 4,558 hate crimes in 1991, reported from almost 2,800 police departments in 32 states.

The FBI report indicated that over 62 percent of the reported hate crimes were race-based, with over 19 percent committed against individuals on the basis of their religion, 10 percent on the basis of ethnicity, and 9 percent against gays and lesbians. Crimes against Jews and Jewish institutions constituted the vast majority of the religion-based crime, fully 17 percent of the total. Thirty-six percent of the reported crimes were anti-black, 19 percent of the crimes were anti-white, 6 percent of the crimes were anti-Asian, and 5 percent anti-Hispanic.

Beyond mere numbers, implementation of the act has dramatically increased awareness of this national problem and sparked improvements in the overall response of the criminal justice system to hate crimes. Hate-crime training sessions have occurred at many state law enforcement training academies and on the Law Enforcement Television Network. Resolutions supporting comprehensive implementation of the Act have been adopted by, among others, the Association of State Uniform Crime Reporting Programs and the International Association of Directors of Law Enforcement Standards and Training.

An Action Agenda

With constitutional questions settled — and reported cases of hate violence on the increase — the time is ripe to promote the use of these important tools for law enforcement.

Because the accuracy and uniformity of the data collected will only get as good as the reporters, every law enforcement agency should train its officials in how to identify, report and respond to hate violence. Departments should take steps to ensure comprehensive local implementation of the statistics act.

Municipalities should establish an integrated hate-crime response network, including liaisons to local prosecutors,

city or county human rights commissions, and private victim advocacy organizations. Local human relations groups, like ADL, can assist in analyzing the hate-crime data for both their own constituents and for the media.

The establishment of specifically focused departmental policies and procedures for addressing hate violence is a proactive step which will send a strong message to victims and would-be perpetrators that hate crimes are not pranks and that police officials take them seriously. Every department should adopt a written policy, signed by the police chief, to respond effectively to hate violence.

Excellent resources now exist to help municipalities establish hate-crime response procedures. The ADL has developed a number of hate-crime training resources which are available to communities and law enforcement officials, including a 17-minute video (produced in cooperation with the New Jersey Department of Law and Public Safety) on the impact of hate crime and appropriate responses, a handbook of existing hate-crime policies and procedures at both large and small police departments, and a general human relations training program to examine the impact of discrimination, while promoting both better cultural awareness and increased appreciation for diversity.

Even the best-trained officers, however, will not eliminate criminal activity motivated by prejudice. The long-term solution is education and experience, leading to better understanding and appreciation of diversity in our society. Effective response by public officials and law enforcement authorities can play an essential role in deterring and preventing these crimes. The success of hate-crime laws and data-collection efforts will be determined at the local level — and measured by the response of these officials to each criminal act motivated by prejudice.

Merge DEA & FBI? As Reagan said, "Here we go again"

Continued from Page 8
jurisdictional wars be permanently resolved? If so, what organizational structure will accomplish it? Considering the nature of our system of government, with all the varied influences upon it, the answer to the first question is a "qualified maybe." A good example of callous outside influence is the funding of a National Drug Intelligence Center in Johnstown, Pa., a costly, duplicative non-starter.

It appears that the Administration has two options: Reaffirm and continue DEA as the single drug enforcement agency of the U.S. Government, or merge the DEA with the FBI.

I would recommend the selection of the former option, for a few reasons. DEA also has an essential regulatory function which cannot be separated. DEA has the responsibility under U.S. law as well as under United Nations drug-control conventions to regulate and enforce import and export quotas

of narcotics and dangerous drugs. Certain medical practitioners, pharmaceutical companies and pharmacists must be licensed and they are subject to reporting requirements. It is questionable whether this function could be transferred to the FBI.

Since the end of World War II, DEA executives and agents have provided assistance, managerial know-how and specialized training to foreign police agencies. They have also been active at the highest levels of international organizations, such as Interpol, the U.N. Division of Narcotic Drugs, and regional compacts. It would counterproductive to this effort if the drug enforcement organization were only a division within the FBI.

Whichever option is selected, I would hope that the decision made will have been carefully considered and researched and that the careers of the hard-working DEA personnel will be protected.

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The Virginia Department of State Police is seeking qualified applicants for a Special Agent-Accountant position at the Bureau of Criminal Investigation field office in Henrico County, Virginia.

Responsibilities: Conducts in-depth investigations involving audits, wrongful use, misappropriation, fraud, embezzlement, theft of funds and other criminal matters; collects evidence; gathers intelligence information concerning criminal activities; makes arrests in the enforcement of all criminal laws of the State; prepares reports on investigations; maintains liaison with other police agencies and commonwealth's attorneys.

Qualifications: Considerable knowledge of accounting/auditing principles; of compiling and analyzing data; of principles of civil and criminal law investigations; of state and Federal law relating to thefts, fraud, embezzlement, tax and other related criminal violations. Effective decision-making and communications skills. Ability to qualify and use a firearm. Ability to write investigative reports and present contents verbally. Graduation from college or university with **documented evidence** of college course work in accounting. Experience as a law enforcement officer in the investigation of fraud and other financial crimes. Department of Criminal Justice Services certification preferred.

Polygraph examination, background investigation, physical examination and drug screening required. Must meet all basic qualifications for a sworn position and satisfactorily complete mandatory law enforcement training requirements.

State application form #10-012 must be received by the Personnel Division, P.O. Box 27472, Richmond, VA 23261-7472, by 5:00 p.m. on Sept. 17, 1993. For further information, contact (804) 674-2063. EEO/AA employer. Reasonable accommodation upon request.

Upcoming Events

SEPTEMBER

20-21. Emergency Disaster Planning. Presented by the University of Delaware. Wilmington, Del.

20-21. Radio Dispatchers' Seminar. Presented by the University of Delaware. Columbus, Miss.

20-22. Drug Interdiction. Presented by Barton County Community College. Great Bend, Kan. \$100.

20-22. Investigative Roundtable Conference on Traditional & Nontraditional Organized Crime. Sponsored in part by the Pennsylvania Crime Commission. Virginia Beach, Va. \$65.

20-22. Administering a Small Law Enforcement Agency. Presented by the Muscatine (Iowa) Police Department. Muscatine, Iowa. \$400.

20-22. Deadly Physical Force: Police-Involved Shootings. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$400.

20-24. Pedestrian/Bicyclist Accident Investigation. Presented by TEEX — Law Enforcement & Security Training Division. San Antonio, Tex. \$350.

20-24. Hostage Negotiations. Presented by TEEX — Law Enforcement & Security Training Division. Bryan, Tex. \$300.

20-24. Intrusion Detection Systems for Security Managers. Presented by the Institute of Public Service. Atlanta. \$445.

20-24. Supervising a Selective Traffic Law Enforcement Program. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$450.

20-24. Police Applicant Background Investigation. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$425.

20-24. Resolving Uncleared Homicides. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$495.

20-24. Seminar for the Field Training Officer. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$425.

20-24. Basic Video I. Presented by the

National Intelligence Academy. Fort Lauderdale, Fla. \$650.

20-24. Basic Locks & Locking Devices I. Presented by the National Intelligence Academy. Fort Lauderdale, Fla. \$650.

20-Oct. 1. Accident Investigation I. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$700.

22-23. Accreditation & Police Professionalism. Presented by the New York State Division of Criminal Justice Services. Binghamton, N.Y.

22-23. Integrated Access Control Systems. Presented by the University of Delaware. Wilmington, Del.

22-24. Contemporary Homicide Investigation. Presented by the University of Delaware. Portland, Me.

22-24. Managing the Patrol Unit. Presented by the University of Delaware. Montgomeryville, Pa.

22-24. Managing High-Risk Policing Liability. Presented by Rollins College. Orlando, Fla. \$250.

23-24. Tactical Narcotics Intelligence. Presented by Barton County Community College. Great Bend, Kan. \$75.

23-24. Cultural Diversity. Presented by the University of Delaware. Worcester, Mass.

25. Successful Promotion: A Personal & Career Development Seminar. Presented by Davis & Associates. San Jose, Calif. \$125.

26-30. Advanced SWAT. Presented by TEEX — Law Enforcement & Security Training Division. Bryan, Tex. \$300.

27-28. Administering the Small Police Department. Presented by Barton County Community College. Great Bend, Kan. \$75.

27-28. Radio Dispatchers' Seminar. Presented by the University of Delaware. Putnam Valley, N.Y.

27-29. Edged Weapons Defense. Presented by Modern Warrior Inc. Lindenhurst, N.Y. \$250.

27-29. DRUG-TRAK IV Training Course. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$375.

27-29. Computerized Traffic Accident

Reconstruction — Introduction to EDCRASH. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$350.

27-Oct. 1. Hostage Negotiations. Presented by the Institute of Public Service. Atlanta. \$550.

27-Oct. 1. Advanced Video II. Presented by the National Intelligence Academy. Fort Lauderdale, Fla. \$650.

27-Oct. 1. Basic Financial Crime Investigation. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$500.

27-Oct. 8. Accident Reconstruction. Presented by TEEX — Law Enforcement & Security Training Division. Dallas, Tex. \$550.

27-Dec. 3. School of Police Staff & Command. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$2,200.

28-29. Threat Identification. Presented by the University of Delaware. Wilmington, Del.

28-30. Asset Tracing & Financial Investigation Procedures Training for Investigators & Auditors. Presented by the Investigation Training Institute. New York. \$595.

28-Oct. 1. Officer Safety: Silent Talk. Presented by Rollins College. Orlando, Fla. \$325.

29-30. Developing Quality Assessment Centers. Presented by F. Michael McLaurin & Associates. Athens, Ga. \$195.

29-30. Covert & Overt Surveillance. Presented by the University of Delaware. Greenbelt, Md.

29-30. Interviewing the Abused Child. Presented by the University of Delaware. Cherry Hill, N.J.

29-30. Managing the Detective Unit. Presented by the University of Delaware. Worcester, Mass.

30-Oct. 1. Computerized Traffic Accident Reconstruction — Introduction to EDCAD. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$250.

30-Oct. 1. Report Writing. Presented by Barton County Community College. LaCrosse, Kan. \$75.

OCTOBER

3-5. Street Survival '93. Presented by Calibre Press. Cincinnati. \$159 (all three days), \$135 (first two days only), \$85 (third day only).

4. Quik-Kuf Instructor Certification. Presented by Pro-Systems. Bloomington, Ill. \$225.

4-5. Team Approach in Child Abuse. Presented by the University of Delaware. Cherry Hill, N.J.

4-5. Radio Dispatchers' Seminar. Presented by the University of Delaware. Goffstown, N.H.

4-6. Intelligence Acquisition & Analysis. Presented by Rollins College. Orlando, Fla. \$295.

4-8. Advanced Financial Crime Investigation. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$500.

4-8. Basic Crime Scene Technician Workshop. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$500.

4-8. Instructor Development Course. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$500.

4-8. Microcomputer-Assisted Traffic Accident Reconstruction — EDCRASH. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$650.

4-8. Sniper I. Presented by the Institute of Public Service. Atlanta. \$655.

4-8. Tactical Team Operations I. Presented by the Institute of Public Service. Atlanta. \$570.

4-8. Introductory TEAM-UP Database Management. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$575.

4-8. Narcotic Identification & Investigation. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$425.

4-8. Interviews & Interrogations for Internal Affairs Officers. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$425.

4-15. Accident Investigation II. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$700.

4-29. School of Police Supervision. Presented by the Southwestern Law Enforcement Institute. Dallas. \$595/\$750.

5-7. Problem-Oriented Policing. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$275.

6-8. Asset Tracing: Forfeiture/Financial Investigation Training. Presented by the Investigation Institute. Wilmington, N.C. \$495.

7-8. Tactical Narcotic Intelligence. Presented by Rollins College. Orlando, Fla. \$225.

7-8. Community Policing. Presented by the University of Delaware. Owings Mill, Md.

9. Successful Promotion: A Personal & Career Development Seminar. Presented by Davis & Associates. San Diego. \$125.

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For further information:

(Addresses & phone/fax numbers for organizations listed in calendar of events.)

Barton County Community College. Attn: James J. Ness, Director, Administration of Justice Programs, R.R. 3, Box 1362, Great Bend, KS 67530-9283. (316) 792-1243. Fax: (316) 792-8035.

Calibre Press. 666 Dundee Rd., Suite 1607, Northbrook, IL 60062-2727. (800) 323-0037.

CFI Associates. Attn: D. Saccente, 998 Farmington Ave., Suite 117, West Hartford, CT 06107. (203) 523-0734. Fax: (203) 523-0675.

Citizen Ambassador Program. Attn: D. Michael Rennaker, Director of Law Programs, Dwight D. Eisenhower Building, Spokane, WA 99202. (509) 534-0430. Fax: (509) 534-5245.

Congress '93 Secretariat. 425 Viger St. West, Suite 620, Montreal, Quebec H2Z 1X2. (514) 873-4239. Fax: (514) 873-6460.

Davis & Associates. P.O. Box 6725, Laguna Niguel, CA 92607. (714) 495-8334.

Evidence Photographers International Council. 600 Main St., Honesdale, PA 18431. (717) 253-5450.

Executive Protection Institute. Arcadia Manor, Rte. 2, Box 3645, Berryville, VA 22611. (703) 955-1128.

Institute of Police Technology & Management. University of North Florida, 4567 St. Johns Bluff Rd. So., Jacksonville, FL 32216. (904) 646-2722.

Institute of Public Service. 4854 Old National Highway, Atlanta, GA 30344. 1-800-235-4723.

Investigation Training Institute. P.O. Box 669, Shelburne, VT 05482. (802) 985-9123.

Justice Research & Statistics Association/JRSA National Computer Center. 444 N. Capitol St., Suite 44, Washington, DC 20001. (202) 624-8560. Fax: (202) 624-5269.

LPS. 5471 Lake Howell Rd., Suite 236, Winter Park, FL 32792. (407) 671-8226. Fax: (407) 671-8249.

F. Michael McLaurin & Associates. P.O. Box 391, Newell, NC 28126-0391. (704) 535-8434.

Modern Warrior Inc. 711 N. Wellwood Ave., Lindenhurst, NY 11757. (516) 226-8383.

Montgomery County Department of Police. Attn: Skip Baylor, Central Crime Analyst, 2500 Research Blvd., Rockville, MD 20850. (301) 217-4015. Fax: (301) 217-4095.

Muscatine Police Department. Attn: Capt. Robert A. Yant, 312 E. 5th St., Muscatine, IA (319) 263-9922. Fax: (319) 264-0750.

National Intelligence Academy. 1300 N.W. 62nd St., Fort Lauderdale, FL 33309. (305) 776-5500. Fax: (305) 776-5005.

New England Institute of Law Enforcement Management. P.O. Box

57350, Babson Park, MA 02157-0350. (617) 237-4724.

New York State Division of Criminal Justice Services. Bureau for Municipal Police, Attn: Michael Carpenter, Stuyvesant Plaza, Executive Park Tower, Albany, NY 12203. (518) 485-1415.

Northwestern University Traffic Institute. 555 Clark St., P.O. Box 1409, Evanston, IL 60204. 1-800-323-4011.

Pennsylvania Crime Commission. Attn: Joan Shaffer, 1100 E. Hector St., Suite 470, Conshohocken, PA 19428. (215) 834-1164. Fax: (215) 834-0737.

Performance Dimensions Inc. P.O. Box 502, Powers Lake, WI 53159-0502. (414) 279-3850. Fax: (414) 279-5758.

Pro-Systems. P.O. Box 261, Glenview, IL 60025. (708) 729-7681.

Rollins College. Public Safety Institute. 1000 Holt Ave., #2728, Winter Park, FL 32789-4499. (407) 647-6080. Fax: (407) 647-3828.

TEEX — Law Enforcement & Security Training Division. Texas A&M University System, College Station, TX 77843-8000. 1-800-423-8433 or (409) 845-6391. Fax: (409) 862-2788.

University of Delaware. Division of Continuing Education, Attn: Jacob Haber, 2800 Pennsylvania Ave., Wilmington, DE 19806. (302) 573-4487.

Chief of Police Seattle, Washington

The City of Seattle is seeking an experienced leader to command a force of 1,868 employees (1,234 sworn and 634 civilian) and manage a budget of \$107+ million.

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Personnel Director,
City of Seattle,
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710 2nd Avenue,
Seattle, WA 98104-1793,

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Law Enforcement News

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Alphabet soup:

What do you get when you combine the FBI, DEA and ATF, and then perhaps throw in portions of the IRS and a few other agencies? It may be too soon to tell, but a huge monolithic Federal law enforcement "directorate" may be in the offing. **Page 1.**

The chase is on:

Ruling in a case in which an innocent third party was killed, New Jersey's highest court finds police "absolutely immune" to liability in accidents resulting from pursuits. Some fear the consequences of giving police such a green light. **Page 3.**

Hitting hate hard:

A veteran civil rights attorney says the U.S. Supreme Court's ruling on a Wisconsin hate-crime law should send police a clear signal that vigorous enforcement of such laws is in order. **Forum, Page 8.**

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